

Registered Post

Registered

To, Maharani Din,
Deputy Registrar (M),
High Court of Judicature at
Allahabad.

To, The District Judge,
Aligarh.

387

No. 18570/IV-3120/Admin.(A)

Dated: Dec. 18, 2012.

Subject: Payment of HRA to Smt. Pratibha Saxena, Addl. Civil Judge(SD)/ACJM, Aligarh for the period from July, 2007 till January, 2009.

Sir,

With reference to aforesaid subject, I have to say that the Hon'ble Court has been pleased to accord payment of Rs.82,137/- only as House Rent Allowance to Smt. Pratibha Saxena, Addl. Civil Judge(SD)/ACJM, Aligarh, for the period from July, 2007 till January, 2009 while she was posted in Ghaziabad Judgeship.

I, therefore, request you to kindly take necessary action in this matter, for payment of aforesaid amount to Smt. Pratibha Saxena from Treasury Office, Aligarh, at the earliest possible, under intimation to this Court.

Yours faithfully,
Maharani D
18/12/12
Deputy Registrar

388

No. 18571/IV-3120/Admin.(A)

Dated: Dec. 18, 2012.

- Copy forwarded for information and necessary action to:
- (1) Smt. Pratibha Saxena, Addl. Civil Judge(SD)/ACJM, Aligarh.
 - (2) The Treasury Officer, Aligarh.

Maharani D
13/12/12
Deputy Registrar

DR(M)

May kindly see order dt. 27.11.12 of Hon'ble Justice Abdul Matin (AS, Aligarh), an below placed office note and issue.

Pranti Singh
10.12.12 (AKR)

[Signature]
12/10/12

[Signature]
12-12-12
AR

(314)

D.R. (M)

May kindly see the letter dated 23.05.2011 of Smt Pratibha Saxena, Additional Chief Judicial Magistrate, Jaunpur duly forwarded by the District Judge, Jaunpur through which she has submitted a certificate amounting to Rs. 82,137.00 claiming the actual amount of house rent for the period from July 2007 to January 2009 countersigned by the District Judge, Ghaziabad and photocopy of the receipts of house rent which was paid by her, to this court for necessary action, placed below at flag 'A' 'B' and 'C'.

It may be recalled that earlier on receipt of Government letter dated 27.04.2010 alongwith enclosures (at flag 'D') an office note dated 21.5.2010 was put up before Learned Registrar (Budget) and on consideration the proposal at 'A' was approved on 29.5.2010 and in compliance of said order a court letter No. 10098/IV-3120/Admin. A dated 23.06.2010 (at flag 'E') was sent to the District Judge, Jaunpur with the request to obtain comments/views of the District Judge, Ghaziabad in the above matter and sent to the court after making your comments for taking necessary action.

From a perusal of photocopy of certificate dated 10.09.2010 of the District Judge, Ghaziabad (at flag 'G') received from the District Judge, Jaunpur through letter dated 14.10.2010, it is evident that an amount of house rent @ of Rs. 735.00 per month from 01.07.2010 to 15.12.2008 was paid to Smt. Pratibha Saxena when she was posted as Judicial Magistrate, Hapur (Ghaziabad) and no amount has been drawn by her as house rent allowance during the period from 16.12.2008 to 31.05.2009 because she was posted there as Drawing and Disbursing Officer.

Under the following provision contained in para-7 of the G.O.No. 6058/II-4-05-45(12)/91 T.C. Dated 27.01.2006 the Judicial Officers are being paid H.R.A.:-

(7) आवास / भव्ण किराया भत्ता

समस्त न्यायिक अधिकारी अपनी पारता के आधार पर निःशुल्क सरकारी आवास आवंटित करवाने के हकदार होंगे। सरकार द्वारा आवास उपलब्ध न करवाये जाने की स्थिति में वासन के संगत आदेश के अनुसार सम्बन्धित न्यायिक अधिकारियों को भव्ण किराया भत्ता दिये जायेंगे।

Report by

Request 73

-2-

From a perusal of certificate dated 10.0-9.2010 of the District Judge, Ghaziabad, it was not clear that what is actual amount of house rent for the period from June 2007 to January 2009 which to be paid to Smt. Pratibha Saxena. (Smt. Saxena has not furnished certificate claiming the actual amount of house rent allowance).

Therefore after obtaining the order/approval of Learned Registrar General dated 27.02.2011, a Court's letter dated 03.03.2011 (at flag 'H') was sent to the District Judge, Jaunpur with the request to ask smt. Pratibha Saxena to furnish a certificate claiming the actual amount of house rent allowance countersigned by the District Judge, concerned alongwith photocopy of receipt of house rent which was paid by her during the posting at Ghaziabad to this court for necessary action.

Now Smt. Pratibha Saxena, Additional Chief Judicial Magistrate has submitted a certificate amounting to Rs. 82,137.00 claiming the actual amount of house rent for the period from 2007 to January 2009 countersigned by the District Judge, Ghaziabad and photocopy of receipt of the house rent which was paid by her to this court for necessary action.

X

In this connection it may be submitted that from a perusal of certificate dated Nil (at flag 'B') of the District Judge, Ghaziabad received from District Judge, Jaunpur it is evident that Smt. Saxena has paid Rs. 95,000.00 as house rent for the period from 01.07.2007 to January 2009 @ Rs. 5,000.00 per month for 19 months and an amount of Rs. 12,863/- as house rent @ Rs. 735.00 per month from 01.07.2007 to 15.12.2008 was paid to Smt. Saxena during her posting at Ghaziabad out of the amount of Rs. 95,000.00 – Rs. 12,863.00(earlier paid) = Rs. 82,137.00 is to be paid to Smt. Saxena.

A | If approved, the file may kindly be laid before Hon'ble Mr. Justice Abhinava Upadhyay, Administrative Judge, Jaunpur

Request 74

A

for his Lordship's kind perusal and orders to authorise the District Judge, Jaunpur for payment of house rent amounting to Rs. 82,137.00 to Smt., Pratibha Saxena, additional Chief Judicial Magistrate, Jaunpur for the period from July 2007 to January 2009 according to certificate issued by the District Judge, Ghaziabad.

Registrar (Budget)

In compliance with your good self orders dtd 22.9.11. the language of previous note dtd 15.9.11 have been checked & corrected Submitted for kind perusal & onward submission before Hon'ble the A.J., Jaunpur for his Lordship's kind perusal & order. as prepared at 'A' above.

Asst. Registrar
21.11.2011
R.O. Adm A-2

[Signature]
21-11-11
DRCM

D. R. (M)

Please, examine with reference to the facts mentioned at 'x' in the office note. ~~that~~

Please, also place the copies of relevant G.O's in the file

[Signature]
14.12.2011
Reg (B)

Immediate

SO Adm (A-1)

[Signature]
14/12/11
DRCM

S. Panbaj A

[Signature]
15/11/11

DR (M)

(823)

May kindly see the letter dated 23-05-2011 of Smt Pratibha Saxena, Additional Chief Judicial Magistrate, Jaunpur duly forwarded by the District Judge, Jaunpur through which she has submitted a Certificate amounting to Rs 22137/- claiming the actual amount of house rent for the period from July 2007 to January 2009 countersigned by the District Judge, Ghaziabad and photocopy of receipts of house rent which was paid by her. In this context for necessary action, placed below at page 6A, 6B and 6C

It may be recalled that earlier on receipt of application dated 14-5-09 of Smt Pratibha Saxena, the then ^{AC} Judicial Magistrate, Ghaziabad now posted as Additional Chief Judicial Magistrate, Jaunpur in the matter of payment of house rent for the month of June 2007 to January 2009 received in this context through along with its enclosure

Government letter dated 27-04-2010 (at page D) on aforesaid application of Smt Saxena an office note dated 21-5-2010 was prepared

and after obtaining the order/approval of ^{before} Learned Registrar (Budget), dated 29-5-10 in compliance of said order Court letter NO 10098/IV-3120/Admin A dated 23-06-10 (at page 'E') was sent to the District Judge, Jaunpur with the request to obtain comments/views of the District Judge, Ghaziabad in the ^{above} matter and the comments so

approved on

received from the District Judge Ghaziabad
may be forwarded to this Court after making
your comments for taking necessary action.

In reply of Court's letter dated 23-06-10, the
District Judge, Jaunpur through his letter
dated 14-10-2010 (tagged F³) sent his comments
alongwith certificate ^{issued by} the District Judge, Ghaziabad
~~regarding~~ ^{for} payment of house rent allowance
to Sant Pratibha Saxena, to this Court

From a perusal of photocopy of certificate
dated 10-09-2010 of the District Judge, Ghaziabad
(attached G²) received from the District
Judge Jaunpur through letter ^{dated} 14-10-2010,
it is evident that an amount of house
rent at the rate of Rs 735⁰⁰ per month from
01-7-2008 to 15-12-2008 was paid to Sant
Pratibha Saxena when she was posted
as Judicial Magistrate, Hapur (Ghaziabad)
and no amount has been drawn ^{from} ~~on~~ account
of house rent allowance during the period
from 16-12-2008 to 31-5-2009 ~~to Sant Saxena~~
because she was posted ^{thereby} ~~as~~ District Drawing and
dispensing officer ~~at Ghaziabad~~

~~In this connection it may be submitted~~
that Under the following
para -> of the G.O NO 6058/II-405-45
(12)/91 T.C dated 27.01.2006. ~~There~~
~~is following provision the field officers~~
(7) आवास भवन मकान रायत भवन
समस्त शक्ति अधिकारी अपनी पावत को
आवेद पर नि:शुल्क सरकारी आवास आवेदित

करवाने के एकदर होंगे, ^{Report} सरकार द्वारा आवास उपलब्ध
न करवाये जाने की रिपोर्ट में शासन की संज्ञत
आदेश की अनुसार सम्बन्धित व्यक्ति अधिकारियों
को मकान किराया मत्ता देय होगा ३२

From a perusal of certificate dated 10.9.10
of the District Judge Ghaziabad ~~received~~
~~from District Judge, Jaunpur~~, it was not
clear that what is actual amount of
house rent for the period from June 2007
to January 2009 ^{has} to be paid to
Smt Pratibha Saxena. (Smt Saxena has
not furnished certificate claiming the
actual amount of house rent allowance).

Therefore after obtaining the order
/ approval of Learned Registrar General
dated 27.2.2011, a Court's Order dated
03.03.2011 (at page 11) was sent to
the District Judge, Jaunpur with the
request to ask Smt Pratibha Saxena
to furnish a certificate claiming
the actual amount of house rent
allowance & counter signed by the
District Judge concerned along with
photo copy of receipt of house rent
which was paid by her during
the pasting at Ghaziabad to this
Court for necessary action

Now Smt Pratibha Saxena, Additional
Chief Judicial Magistrate has submitted
a certificate amounting to Rs 82137-00
claiming the actual amount of house
rent for the period ^{from} 2007 to January 2009
counter signed by the District Judge,

Page 19

Chartered and photocopy of receipt of the house rent which was paid by her to this Court for necessary action. The certificate submitted by Smt Saxena at the

In this connection it may be submitted that from a perusal of certificate dated 15.12.2008 (at page 'B') of the District Judge, Chartered received from District Judge, Jaipur it is evident that Smt Saxena has paid Rs 95,000.00 as house rent for the period from 01-7-2007 to 15-12-2008 January 2009 at the rate of Rs 5000.00 per month for 19 months and an amount Rs 12,863.00 as house rent at the rate of 735.00 per month from 1.7.2007 to 15.12.2008 was paid to Smt Saxena during her posting at Chartered. The amount of Rs 95,000.00 - Rs 12,863.00 = Rs 82,137.00 is to be paid to Smt Saxena.

Pl. ref. of the 19-12-11 (JRCM)

The file may kindly be laid before Honble Mr Justice of approved by Administrative Judge

Abhinava Upadhyay, Authorised the District Judge, Jaipur for payment of house rent amounting to Rs 82,137.00 to Smt Pratibha Saxena Additional Chief Judicial Magistrate, Jaipur for the period from July 2007 to January 2009 according to certificate of the District Judge, Chartered

Registrar (Budget)

Submitted for kind perusal & onward submission before Honble the A.J. Jaipur for his lordship's kind perusal & orders as proposed at Jaipur

PKS/ST/ST/US 15.9.2011

15-09-2011 A.R

D.R. (M) J. R. (Admn) (JRCM)

Please, examine the language of proposal and the report Reg (b) (22.9.11)

24-8-06
19-8-06

19-8-06

655

24-8-6 Report 24 830

IV f 82
16-18
24/07-06

1124

संख्या-5207/दो-4-06-45(12)/91 टी.सी.

प्रेषक,

उमेश सिन्हा,
सचिव,
उत्तर प्रदेश शासन।

सेवा में,

महानिबंधक,
उच्च न्यायालय,
इलाहाबाद।

नियुक्ति अनुभाग-4

लाखनऊ: दिनांक: 27 जुलाई, 2006

विषय:- प्रथम राष्ट्रीय न्यायिक वेतन आयोग (शेड्यूलि आयोग) की संस्तुति के अन्तर्गत राज्य की न्यायिक सेवा/उच्चतर न्यायिक सेवा के सदस्यों को भत्ते एवं सुविधाएं प्रदान किये जाने विषयक शासनादेश दिनांक 27 जनवरी, 2006 में आवास/मकान किराया भत्ते की उल्लिखित व्यवस्था का आंशिक संशोधन।

महोदय,

उपर्युक्त विषयक आपके अर्द्धशासकीय पत्र संख्या-3141/प्रशासन, दिनांक- 20 मई, 2006, जो प्रमुख सचिव, वित्त, उत्तर प्रदेश शासन को सम्बोधित है, के सन्दर्भ में उपर्युक्त शासनादेश 27 जनवरी, 2006 में आवास/मकान किराया भत्ता के सम्बन्ध में की गयी व्यवस्था को सम्यक विचारोपरान्त निम्नानुसार संशोधित किये जाने की श्री राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं :-

R.S. to R.G.

वर्तमान व्यवस्था

संशोधित व्यवस्था

समस्त न्यायिक अधिकारी अपनी पात्रता के आधार पर निःशुल्क सरकारी आवास आवंटित करवाने के हकदार होंगे। सरकार द्वारा आवास उपलब्ध न करवाये जाने की स्थिति में शासन के संगत आदेशों के अनुसार सम्बन्धित न्यायिक अधिकारी को मकान किराया भत्ता देय होगा।

समस्त न्यायिक अधिकारी अपनी पात्रता के आधार पर निःशुल्क सरकारी अथवा सरकार द्वारा लीज पर लिया गया आवास आवंटित करवाने के हकदार होंगे। सरकार द्वारा आवास उपलब्ध न करवा पाने की स्थिति में शासन के संगत आदेशों के अनुसार,

18 AUG 2006
Repr. (Bijalpet) / JR (A/c) / JR (I)
21/08/06
19-8-06

3365
S. A. D. H. / J

DR (M)
23-8-06

Report 19

-2-

सम्बन्धित न्यायिक अधिकारी को मकान किराया भत्ता देय होगा, परन्तु यदि न्यायिक अधिकारी द्वारा स्वयं के प्रयास से अपनी पात्रता के अनुसार किराये पर लिये गये आवास का वाजिब प्रमाणित किराया, उसे अनुमन्य मकान किराया भत्ता से अधिक है, तो अन्तर की धनराशि का व्यय भी राज्य सरकार द्वारा सुसंगत लेखा शीर्ष के अन्तर्गत वहन किया जायेगा।

2- शासनादेश संख्या-6058/दो-4-05-45(12)/91 टी0सी0, दिनांक 27 जनवरी, 2006 उक्त सीमा तक संशोधित समझा जाय। शासनादेश में उल्लिखित अन्य व्यवस्थाएं यथावत् रहेंगी।

3- उपर्युक्त आदेश वित्त विभाग के अशासकीय पत्र संख्या-जी-1-557/दस-06, दिनांक-27 जुलाई, 2006 में प्राप्त उनकी सहमति से निर्गत किये जा रहे हैं।

भवदीय,

(उमेश सिन्हा)

सचिव

पृष्ठांकन संख्या-5207(1)/दो-4-06-45(12)/91 टी.सी. तददिनांक।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं तत्काल आवश्यक कार्यवाही हेतु प्रेषित।

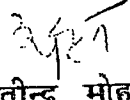
1. मा0 राज्यपाल महोदय के प्रमुख सचिव/सचिव
2. प्रमुख सचिव, विधान सभा/विधान परिषद, उ0 प्र0।
3. निदेशक, कोषागार निदेशालय, उ0 प्र0 लखनऊ।
4. प्रमुख सचिव, न्याय विभाग, उ0 प्र0 शासन।
5. सभस्त कोषाधिकारी, उत्तर प्रदेश।
6. वित्त (वेतन-आयोग) अनुभाग-1/2, वित्त (सामान्य) अनुभाग-1/2/3
7. वित्त (व्यय-नियंत्रण) अनुभाग-5

Report 29

-3-

8. संयुक्त निदेशक, शिविर कार्यालय, कोषागार निदेशालय, नवीन कोषागार भवन, कचहरी रोड, इलाहाबाद।
9. इरला चेक अनुभाग/इरला चेक (वेतन-पर्ची) प्रकोष्ठ।
10. महालेखाकार (लेखा एवं हकदारी) 1 एवं 2 तथा आडिट 1 एवं 2, उ० प्र० इलाहाबाद।
11. समस्त जनपद न्यायाधीश/जिलाधिकारी, उत्तर प्रदेश।
12. श्री प्रदीप मिश्रा, एडवोकेट-आन-रिकार्ड, सुप्रीम कोर्ट, 138, न्यू लायर्स चैम्बर, नई दिल्ली।
13. उत्तर प्रदेश सचिवालय के समस्त अनुभाग।
14. गार्ड फाइल।

आज्ञा से,


(यतीन्द्र मोहन)
अनु सचिव